

**THIRD DAY.**

Senate Chamber,  
Austin, Texas,  
July 17, 1931.

The Senate met at 10 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parr.
Berkeley.	Parrish.
Cunningham.	Patton.
DeBerry.	Poage.
Gainer.	Pollard.
Greer.	Rawlings.
Hardin.	Stevenson.
Hopkins.	Thomason.
Hornsby.	Woodruff.
Loy.	Woodul.
Neal.	Woodward.
Oneal.	

**Absent—Excused.**

Cousins.	Purl.
Holbrook.	Russek.
Martin.	Small.
Moore.	Williamson.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Rawlings.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By Senator Gaainer:

S. B. No. 5, A bill to be entitled "An Act to regulate Texas State commerce by oil pipe line agencies, gas pipe line agencies, oil and/or gas purchasing agencies and persons, firms or corporations operating in the purchase, production, distribution, sale or transportation of crude oil and its products, natural gas and its products and artificial gas."

Read first time and referred to Committee on State Affairs.

**Senators Excused.**

The following Senators were excused for the day on account of important business:

Senators Moore, Small, Cousins, Williamson, and Holbrook on motion of Senators Hardin, Berkeley, Thomason, Woodruff, and Hopkins respectively.

Senators Russek and Martin were excused for the day on account of death in the family, on motion of Senators Stevenson and Beck respectively.

**Advance Printing Ordered.**

On motion of Senator Gainer, advance printing was ordered on S. B. No. 5.

On motion of Senator Cunningham advance printing was ordered on S. B. No. 2.

**Adjournment.**

On motion of Senator Woodward, the Senate, at 10:07 o'clock a. m., adjourned until 10 o'clock a. m. Monday.

**FOURTH DAY.**

Senate Chamber,  
Austin, Texas,  
July 20, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Parrish.
Berkeley.	Patton.
Cousins.	Poage.
Deberry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Thomason.
Hornsby.	Stevenson.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.
Oneal.	

**Absent—Excused.**

Cunningham.	Parr.
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Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By Senators Woodward, Beck, Thomason:

S. B. No. 6, A bill to be entitled "An Act creating the Conservation Commission of Texas to be composed of three men; providing the qualifications of its members, their terms of office, their method of appointment, and their salaries; transferring from the Railroad Commission of Texas to the Conservation Commission of Texas all jurisdiction, powers, rights and authority heretofore conferred and all duties heretofore imposed upon the Railroad Commission of Texas and its members under Title 102, Revised Civil Statutes of 1925, Chapter 313, Acts of 1929, Forty-first Legislature, Chapter 36, Acts of 1930, Fifth Called Session of the Forty-first Legislature, and all laws of the State of Texas relating to the conservation of oil and gas regulating gas utilities, pipe lines, and common purchasers of oil; providing that orders, rules and regulations of the Railroad Commission of Texas heretofore made shall not be impaired by this Act but shall continue in effect; prohibiting the use of any part of the funds received from the tax levied by Article 6032, R. C. S. of 1925, by the Railroad Commission or for the payment of any cost or expense hereafter incurred by the Railroad Commission, and transferring all unexpended appropriations from said funds from the Railroad Commission of Texas to the Conservation Commission of Texas, levying a tax of one-fourth of one cent per barrel on all crude petroleum produced in this State for the administration of this law and other laws relating to conservation of oil and gas and for the payment of the salaries of the Conservation Commission; and declaring an emergency."

Read first time and referred to Committee on State Affairs.

**Senators Excused.**

The following Senators were excused for the day on account of important business:

Senator Cunningham, on motion of Senator Loy.

Senator Parr, on motion of Senator Hornsby.

**Memorial Ordered Printed.**

Senator Poage received unanimous consent to have printed in the Journal the following memorial:

Capt. Jas. A. Baker,  
President Houston Bar Association,  
Houston, Texas.

Dear Sir:

Your committee appointed to draft a suitable Memorial to Hon. Robert L. Henry beg leave to make the following report.

Robert Lee Henry was born in Cass County, Texas, on the twelfth day of May, 1864. He died at his home in Houston, Texas, on the ninth day of July, 1931.

He graduated in the Southwestern University at Georgetown, Texas, in 1885. He graduated in the Law Class of 1887 at the University of Texas. He began the practice of law in Texarkana, Texas, and made rapid strides in his profession. In 1889 he was elected Mayor of Texarkana, and in January, 1891, he accepted the position of First Assistant in the office of Attorney General Charles A. Culberson. In August, 1892, he was appointed by Governor Hogg as Assistant Attorney General before the Court of Criminal Appeals. In all these positions he distinguished himself with marked ability and sagacity. He made an especially notable record before the Court of Criminal Appeals, many of his briefs during his service before that court having been adopted as the opinions of the Court. They were clear and vigorous expositions of the principles involved, and the Court accepted them as prepared by him.

In 1896 he was elected to Congress from the Waco District, and served that District continuously for twenty years, being successively elected over all opposition. At the expiration of his twenty years of service he voluntarily retired to resume the practice of law at Waco, Texas. In 1923 he moved to Houston, where he entered the practice of his profession in this city and became a member of this Association.

During his long service in Congress he was a member of the Judiciary Committee, which was then

the most important Committee in the House of Representatives. When the Democrats elected Wilson and a Democratic Congress revised the Rules of Procedure in Congress and made the Committee on Rules the most powerful Committee of Congress, R. L. Henry was made Chairman of that Committee, which position he held the last four years of his congressional service.

With his fellow students in school he was easily the most popular and the most outstanding of all his associates. He was the most loved and the most sought among the student body. This attractive personality made him invincible in all of his campaigns for Congress. He was fearless, forceful, untiring, and unfaltering in his advocacy of whatever political principles or policies he presented to his people. He was always willing to yield to the persuasion of his friends, but never willing to compromise with his political opponents.

He came from a family of lawyers. His father was one of the ablest and strongest lawyers in East Texas, where so many great lawyers have lived and served, and going back through many generations his ancestors were lawyers. His mother was a true type of the southern gentle-woman of great strength of character, gentleness and personal charm, all of which were imparted to her son.

In early life he married Miss Louise Tyler, herself a woman of charming personality and great tact and judgment. She was the daughter of Judge G. T. Tyler, an early pioneer of distinction and great ability. Through their more than forty years of married life "they climbed the hill together." Three children and three grandchildren survive him.

The country had no more patriotic citizen and no more gallant defender of its honor. No husband or father was more devoted to his family, whom he held in most idealistic relations, and for whom he strove to his utmost. To his friends he was devoted, loyal, and true. They sometimes made mistakes, but he could always find an excuse therefor. To his opponents he was always gracious, courteous, and never vindictive, but he always stood with his face to the front and unwaveringly and

courageously asserted his convictions. He never wavered in principle, and he was never a trimmer in policy.

The country has lost a good citizen and true patriot, and we have lost a kind, gentle, sweet, and lovable friend.

We request the appointment of necessary Committees to present these resolutions to the various courts before which he practiced.

To his family we extend our heartfelt sympathies, and recommend that a copy hereof be entered at large upon the Minutes of the Houston Bar Association, and a duly certified copy sent to each member of his family.

Respectfully submitted,

JOE H. EAGLE,  
WALTON D. TAYLOR,  
F. G. WINTER,  
EDGAR E. MONTEITH,  
LEWIS FISHER,  
FRANK ANDREWS,  
Committee.

#### Simple Resolution No. 5.

Senator Woodruff sent up the following resolution:

WHEREAS, the Honorable George M. Hopkins, formerly the Senator from the 22nd District, is within the bar of the Senate, and

WHEREAS, the former Senator Hopkins has not similarly honored this Body for a long time prior hereto, therefore be it

RESOLVED, that former Senator Hopkins be escorted to the Speaker's stand and invited to address the Senate, and that he be accorded the privileges of the floor during his stay in Austin.

WOODRUFF.  
POAGE.  
GAINER.

Read and adopted.

#### Mr. Hopkins Speaks.

The Chair appointed Senators Woodruff, Poage, and Oneal to escort Mr. Hopkins to the platform.

Senator Woodruff introduced Mr. Hopkins who briefly addressed the Senate.

**Message From the House.**

Hall of the House of Representatives.  
Austin, Texas July 20, 1931.  
Hon. Edgar Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following resolutions:  
H. C. R. No. 3, Inviting J. Frank Dobie, member of the faculty of the University of Texas, to address a joint session of the Senate and House.

H. S. R. No. 15, Inviting members of the Senate to sit in during the hearing in the Hall of the House by the House of Representatives on oil and gas conditions and legislation.

Respectfully submitted,  
LOUISE SNOW PHINNEY,  
Chief Clerk House of Representatives.

**HOUSE SIMPLE RESOLUTION  
NO. 15.**

By Satterwhite, Cox of Limestone:  
Be It Resolved by the House of Representatives of the First Called Session of the Forty-second Legislature that the members of the Senate be invited to seats in the House during the hearing on oil and gas legislation, as provided in House Resolution, and that the Sergeant-at-Arms be instructed to provide seats for the Senate members and that such members have the same protection in the occupancy of such seats as members of the House.

Adopted July 17, 1931.

LOUISE SNOW PHINNEY,  
Chief Clerk House of Representatives.

**Bill Signed.**

The Chair, Lieutenant Governor Edgar Witt, gave notice of signing, and did sign in the presence of the Senate, after its caption had been read, the following bill:

H. B. No. 1.

**House Invitation Accepted.**

On motion of Senator Woodruff, the invitation extended by the House in House Simple Resolution No. 15 was accepted.

**House Concurrent Resolution No. 3.**

The Chair laid before the Senate:  
H. C. R. No. 3, Inviting Mr. J. Frank Dobie to address a joint session of the House and Senate.

Read and adopted.

**Adjournment.**

On motion of Senator Holbrook, the Senate, at 10:20 o'clock a. m., adjourned until 10 o'clock tomorrow morning.

**FIFTH DAY.**

Senate Chamber,  
Austin, Texas,  
July 21, 1931.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Oneal.
Berkeley.	Parrish.
Cousins.	Patton.
Cunningham.	Poage.
DeBerry.	Pollard.
Gainer.	Purl.
Greer.	Rawlings.
Hardin.	Russek.
Holbrook.	Small.
Hopkins.	Stevenson.
Hornsby.	Thomason.
Loy.	Williamson.
Martin.	Woodruff.
Moore.	Woodul.
Neal.	Woodward.

Absent—Excused.

Parr.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.**

By Senator Williamson:

S. B. No. 7, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous claims on taking effect of this Act, providing how such claims shall be paid, repealing certain appropriations made in S. B. No. 17, Acts of the Regular Session of